



**Report of the Cabinet Member for
Education Improvement, Learning and Skills**

Cabinet – 20 December 2018

**Small School Review – Proposal to Close
Craigcefnparc Primary School**

Purpose:	To feedback to Cabinet on the result of consultation and to seek approval for the publication of a statutory notice to close Craigcefnparc Primary School with effect from 31 August 2019.
Policy Framework:	QEd 2020 Programme Corporate priorities: <ul style="list-style-type: none">• Improving pupil attainment
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: <ol style="list-style-type: none">1) Approval is given to publish a statutory notice to close Craigcefnparc Primary School with effect from 31 August 2019.2) Cabinet consider any objections received during the statutory notice period and determine the outcome of the proposal at their meeting on 21 March 2019.
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1. Small Schools

- 1.1 One of the main themes of the Audit Commission's report *Rationalising Primary School Provision* was the need for local authorities to consider the closure of those small primary schools that were not justified by local circumstances. Three arguments were put forward against small primary schools:

- Cost: small schools attract greater funding per pupil than larger ones;
- Expertise: the National Curriculum [and the new, emerging Curriculum for Wales] demands a breadth of expertise that is more difficult to provide in a school with only two or three teachers; and
- Resources: small schools are less likely to have basic facilities, such as halls and playing fields, without which such pupil activities as drama and team sports are likely to be curtailed.

Although there is no exact definition of what constitutes a small primary school, the Audit Commission analysed delegated budgets per pupil against numbers on roll and there was a marked increase in spending per pupil for schools of below about 90 pupils. The Audit Commission therefore recommended that local authorities keep under review primary schools with under 90 pupils on roll, to satisfy themselves that each is justified.

1.2 In January 2018 there were three schools with less than 90 pupils in Swansea, and these were the subject of a report to Cabinet on small schools on 21 June 2018:

- Craigcefnparc Primary School – 55 FTE*/56 whole school
- Pengelli Primary School – 89.5 FTE*/97 whole school
- YGG Felindre – 21 FTE*/22 whole school

*FTE = full-time equivalent, where part-time nursery pupils are counted as 0.5

1.3 At September 2018 the number of pupils on roll were:

- Craigcefnparc Primary School – 47 FTE/49 whole school
- Pengelli Primary School – 100.5FTE/108 whole school
- YGG Felindre – 13FTE/14 whole school

1.4 Cabinet agreed at their meeting on 21 June 2018 that consultation should take place on the proposed closure of Craigcefnparc Primary School and YGG Felindre (the YGG Felindre proposal is linked to another report through Cabinet 'School Organisation linked to the Welsh Education Strategic Plan'). This reflected the need to provide sustainable quality education for learners, falling pupil numbers and additional demands of the emerging new curriculum on schools. The consultation paper for the Craigcefnparc Primary School proposal can be found at Appendix A. Cabinet agreed that the number on roll at Pengelli would be kept under review and it has increased since that report.

1.5 Alternatives to the closure of Craigcefnparc Primary School had been considered, including Federation (where Craigcefnparc and another school could continue to exist but under one new governing body, and could then share staffing and resources); however no other school had been identified to Federate, despite the Director of Education approaching the governing bodies of nearby schools. Further detail on the alternatives considered was provided in paragraph 12 of the consultation paper at Appendix A.

- 1.6 This report will not repeat all of the detail previously provided in the consultation document but will focus on the concerns and issues raised during the consultation process. However, paragraphs 8 and 9 of the consultation paper at Appendix A sets out the educational case for change and paragraphs 17 to 23 set out the potential benefits.
- 1.7 In summary, during the last five years, the overall quality of education provided at Craigcefnparc Primary School is poor in comparison to neighbouring schools. Although sound progress has been made in addressing specific recommendations in relation to teaching and learning, the school has little capacity to improve itself because of inconsistent leadership. The school has been a cause for concern to the school improvement service for some time and proportionate support has been provided. Despite best efforts to sustain improvements, the school does not demonstrate enough self-improvement. A better quality of education is available in nearly all other schools in Swansea. The option of transferring children to be educated at Clydach Primary School helps meets pupils' entitlement to the best education possible.

2. Consultation

- 2.1 Consultation on the closure proposal took place between 5 September and 18 October 2018.
- 2.2 Consultation took place as is required in the Welsh Government's School Organisation Code with the specified list of consultees, including:
- pupils, staff, governors and parents at Craigcefnparc Primary School
 - pupils, staff, governors and parents at Clydach Primary School (proposed as the new school for the Craigcefnparc catchment area)
 - Welsh ministers, AMs and MPs in the area, and local councillors
 - Estyn
 - Trade unions
- 2.3 Consultation meetings and drop-in sessions were held as follows:

Meeting for:	Venue	Date	Time	Attendance
Learners (School Council)	Craigcefnparc School	18/09/18	14:30-15:30	12
Staff	Craigcefnparc School	18/09/18	15:30-16:15	7
Governors	Craigcefnparc School	18/09/18	16:15-17:00	6
Drop-in for parents/public	Craigcefnparc School Hall	18/09/18	17:00-19:00	38

Drop-in for parents/public	Craigcefnparc Community Hall	20/09/18	11:00-14:00	16
Drop-in for parents/public	Craigcefnparc Community Hall	08/10/18	14:00-16:00	17
Learners (School Council)	Clydach Primary School	24/09/18	14:30-15:30	10
Staff	Clydach Primary School	24/09/18	15:30-16:15	19
Governors	Clydach Primary School	24/09/18	16:15-17:00	5
Drop-in for parents/public	Clydach Primary School	24/09/18	17:00-19:00	16

2.4 An additional drop-in session was requested by objectors and this was arranged at the Craigcefnparc Community Hall for 11 October 2018 from 17:00 to 19:00 and 31 people attended. The issues raised in the previous drop in sessions were restated in this additional session and are reflected in the collated responses considered in this report and the detailed Consultation Report (within appendix 5 and 6).

3. Consultation Responses

3.1 Following the consultation period, Cabinet are now required to consider the responses received during the consultation period and decide if the proposal should move to the next stage – the publishing of statutory notices inviting any formal objections to the proposal.

3.2 120 responses were received to an online survey, with only 6 of these supporting the proposal. An online pupil survey was available and 54 responses were received, objecting to the proposal. 463 written/emailed responses were received, all but one objecting to the proposal, including letters of objection from a number of local AMs, a local MP, the governing body, PTA and working party of Craigcefnparc Primary School, Clydach Community Council, Councillor Bridgette Rowlands and the Clydach and Mawr Labour Party branch. Craigcefnparc Working Party provided a detailed report. There were also two petitions – an online petition signed by 984 people and a written petition signed by 797 people giving individual reasons why they did not wish to see the school close.

3.3 The main objections to the proposal were:

3.3.1 **Support for the School:** *Objectors feel the council were too slow to provide support and bring about leadership improvements which have contributed to a drop in pupil numbers, and that the acting headteachers are bringing about change to improve the school and should be given time to continue that work. Objectors were confident that pupil numbers would increase again if the closure threat were removed, particularly as there were leadership improvements. The local authority has supported Craigcefnparc Primary School in their school improvement journey by identifying a quality acting headteacher from another school and funding*

this post for some time. That acting headteacher then successfully applied for a post at another school. The low pupil numbers in the school mean that the budget available to the school is also low and the deputy headteacher is now acting as headteacher but has to work for at least two days a week in the classroom, having the least non-contact time of any headteacher in Swansea. This will no doubt impact on the school's ability to continue to improve standards and to prepare for the new curriculum. Even if learners did return to the school there are not enough births in the whole of the Mawr ward to make the school sustainable. There have only been three admission applications to Reception for September 2019 by the closing date of 30 November 2018.

3.3.2 **School standards:** *Previous poor standards highlighted by Estyn had been resolved after much support from the local authority and by the acting headteachers that had been appointed. The new governing body were also active in school improvement and the request from objectors was to give the school a chance to continue to improve the educational provision for learners at the school.* The local authority recognise that Estyn have been satisfied that previous concerns are being addressed and that the school has moved from a 'red' to a 'yellow' category of support from the local authority, however the school has recently been provisionally allocated to 'amber'. A continued decline in pupil numbers and the projected budget pressures for coming years will also have an impact. The school is unable to fund the supply staff costs needed to release staff for training and this will be vital to prepare for the new curriculum. Also the acting headteacher is restricted to the school site in the main due to teaching commitments and leadership requirements and therefore is unable to attend professional development opportunities that are on offer. The school are likely to struggle to find a headteacher for a school of under 50 pupils in an amber support category.

3.3.3 **Transport:** *Learners from Craigeffnparc would have to be transported to Clydach Primary School, as there is no available walking route. Transport is only provided for learners of statutory school age for the start and end of the school day and therefore would not be provided for nursery learners or those wishing to access breakfast club or any after school provision, disadvantaging the learners from the village.* The council is responsible for transporting pupils for education. Parents are always responsible for getting their learners to and from any out of school activities such as breakfast club and after school club.

3.3.4 **Breadth of Curriculum:** *Confidence that the school could continue to provide the full curriculum to learners, despite the small number of staff at the school and budget pressures. Examples were given of the benefits of being in a small school, such as more opportunity to be involved in the School Council and sporting groups, and learning/social opportunities with children of different ages.* Estyn reviewed school size and educational effectiveness in their December 2013 report and the following areas are highlighted from this report (the full report can be found at <https://www.estyn.gov.wales/thematic-reports/school-size-and->

[educational-effectiveness-december-2013](#)). The report shows that large primary schools tend to perform better than small and medium-sized schools. Curriculum provision is better in large primary schools. In small schools, there tends to be shortcomings in the provision of foundation subjects at key stage 2. These shortcomings differ from school to school, but are often linked to gaps in the expertise of staff. The quality of teaching is good or better in 80% of primary schools overall, but 72% of very small primary schools have teaching that is good or better. In these schools, there are three or more age groups in each class and teachers have to plan and deliver lessons that meet the needs of pupils from a wide age and ability range. Leadership and processes to improve quality are usually better developed in large primary schools. In small primary schools, many headteachers have a significant teaching responsibility that limits the time they can devote to leading and managing and they have fewer opportunities to evaluate standards and to drive improvement. Larger schools are likely to have more groups to join with a wider range of interest learners. Small schools struggle with team sports where a minimum numbers of players are required. Numbers at Craigcefnparc are predicted to fall further when the larger year groups in Key Stage 2 leave and this will limit team sports even further.

- 3.3.5 **Grant bids:** *The governors had proposed grant bids for financial sustainability at the school, including establishing wrap-around childcare and a community IT hub at the school.* These were not considered to be sufficiently developed to confidently deliver within the current financial year. However, Swansea Council has been able to support a bid for funding for feasibility studies in order to consider further bid submission in FY2019-2020.
- 3.3.6 **School setting and facilities:** *Concern that learners would be leaving a rural setting to go to a congested town, and to a site that does not have the same green areas as they have at Craigcefnparc Primary School.* The council is working with the acting headteacher of Craigcefnparc Primary School regarding the use of the nearby forest area to ensure that the relevant insurance is in place, authority has been gained to access the land as it is privately owned and that risk assessments have been undertaken for use, as well as for the route between the school and the site. A traffic assessment has been undertaken and is attached at Appendix B. The assessment has identified enhancements for the area around Clydach Primary School such as increased traffic calming measures, and these will be introduced regardless of the outcome of this proposal. Outdoor learning is a requirement in the Foundation Phase and learners at Clydach Primary have a stimulating outdoor area on the school site and also take trips to the canal, Coed Gwillim Parc, Forge Fach community centre's outdoor area/3G pitch, Manor Park etc.
- 3.3.7 **Impact on rural community:** *Wider concern around the social and economic implications of removing the school from the rural community, particularly in light of the Wellbeing of Future Generations Act.* The council's Local Well-being Plan has an objective 'To build Strong

Communities with a sense of pride and belonging'. Objectors may consider this definition in broad terms (Page 21 of the LWP) but objections would not be directly in line with specific steps or actions. The objectives definition of communities is not restricted to specific physical communities of any particular size but includes communities of interest too. The council's plans support the development of a new community which will be created at Clydach Primary School. Arguably, this is an opportunity to be part of a more diverse community with potential benefits in terms of experiencing a wider range of cultures, languages and communities that can enrich pupils' experience. The most relevant of the 3 steps under the objective is 'individuals are connected and feel a sense of belonging' and, while this is true of a small school community, it is also true of larger school communities which tend to benefit from greater intercultural opportunities.

3.3.8 **Impact on staff:** *The impact on staff at the school as they could be in a redundancy situation if they could not be redeployed elsewhere.* If the proposal proceeds to closure, the council would work with Clydach Primary School and any other school receiving pupils to request that governors consider ring-fencing any new posts for the staff at Craigcefnparc Primary School. The council would also seek to redeploy staff into other schools/establishments within the council. Staff would also be offered the option of taking early retirement or voluntary redundancy. Compulsory redundancy would only apply when all other avenues are exhausted.

3.4 **Alternatives to closure:** The 'well-being' goals of the Well-being of Future Generations (Wales) Act 2005 have been considered, as well as alternatives to closure. These alternatives were set out in the consultation document and discussed with the school governing body, along with the nature and process required to federate, prior to the Cabinet decision to move to statutory consultation, with no viable alternative to closure identified. Responses relating to alternative options raised during the consultation can be found on page 22 of the Consultation Response Report (points 48-56) and in the table below. The alternatives to closure have been reviewed further as part of the consideration of the consultation responses, including the potential for federation, and the view remains that there is no viable and sustainable alternative to closure. This is, in the main, because of the number of pupils attending the school in the earlier year groups by comparison with the larger numbers leaving the school in later year groups, and the wider demographic profile of the area, as well as the continued concerns over the school's ability to self-improve, particularly in light of the recent provisional 'amber' categorisation. The updated consideration of alternative options is shown below.

Option 1 – Status Quo

Advantages	Disadvantages
Craigcefnparc Primary School would remain open	Would not address the current projected number of pupils at the school with so few pupils in earlier

	year groups by comparison with those leaving the school in later year groups and the demographic profile of the area
Retention of school identity	Continuing challenge to maintain sustainability of educational provision at the school, particularly with the new curriculum and the recent 'amber' provision categorisation
No additional capital investment required	Need for additional resources to support leadership and teaching/learning likely to continue
Perceived benefits of a small school	Pupils would remain in increasingly mixed-age cohorts having to cater for many year groups in one class
Current facilities and setting available to pupils	Future liabilities in terms of building maintenance costs remain
Further opportunity for school to turn things around	Would not contribute to the provision of pupil places where they are needed and reduce surplus places where there is not the need to support the greater efficiency and effectiveness of the overall school estate
Additional home to school transport not required	Cost per pupil is £4,742 compared with a County average of £3,487 and this unbalanced distribution would remain and indeed increase as pupil numbers continue to decline

Option 2 – Amalgamation

Advantages	Disadvantages
Educational provision would remain on the current Craigcefnparc Primary School site, although its separate identity would be lost	Would not effectively address the current projected number of pupils at the school with so few pupils in earlier year groups by comparison with those leaving the school in later year groups and the demographic profile of the area
Potential sustainability of amalgamated school on more than one site could be tested and sites rationalised in the future if there proves to be no alternative	Whilst current per pupil cost disparity would be addressed to a limited extent, additional costs would remain as a result of the split sites and need for a management presence on each site, to be met with a reduced budget
No additional capital investment required initially	Continuing challenge to maintain appropriate educational provision at the school with limited scope to secure the benefits of amalgamation. The distance between school sites

	would severely limit for example the opportunities for whole school activities, and peer working, sharing of resources, staff development and leadership and management
Potentially enhanced leadership and management (across more than one site) and saving in Headteacher salary cost	Future liabilities in terms of building maintenance costs remain
Greater opportunity to share resource and best practice and broader range of staff expertise; however as it would be one school over two sites the budget allocation would be less than the combined sum of the two existing school budget shares, putting additional pressure on the new school as Craigeefnparc is already struggling to set a balanced budget.	Would not contribute to reducing surplus places
Reduced transport implications; however an amalgamation can have infants at one site and juniors on another to aid class structuring and the whole school would need to come together for assemblies, concerts, sports etc.	Likely that pupils would remain in mixed age cohorts although there would be some opportunities to undertake activities with pupils on other sites
	Would destabilise another school, as both would have to formally close to open the newly amalgamated school, with all staff at both schools at risk of redundancy

Option 3 – Federation

Advantages	Disadvantages
Craigeefnparc Primary School would remain open	Would not effectively address the current projected number of pupils at the school
Retention of school identity, but under a Federation	Continued risk of failure to maintain sustainability of appropriate educational provision at the school due to the need to ensure appropriate management of each school site
No additional capital investment required	Future liabilities in terms of building maintenance costs remain
Potentially enhanced leadership and management (across more than one site) and some potential scope to make savings in senior leadership costs across Federation	Would not contribute to reducing surplus places
Greater opportunity to share resource	Pupils would remain in the same

and best practice and broader range of staff expertise	mixed age cohorts although there would be some opportunities to undertake activities with pupils on other sites but with staff/pupils travelling to provide the same breadth of curriculum support as available on a single site
Full ownership from all parties to Federate can prove to be effective – although generally with a number of small schools of a similar size	Requires full ownership from all parties to be effective rather than council direction and no indication to date of such interest from another school
No transport implications of moving learners out of Craigcefnparc; however staff would need to move between sites, particularly if the Federation decided to have one headteacher and other shared staff.	Cost per pupil is £4,742 compared with a County average of £3,487 and this unbalanced distribution would remain

With regard to Federation as an alternative, senior officers of the council have provided Craigcefnparc Primary School's governing body with detailed information on the process and are aware that governors have contacted many schools to ask them to Federate with them. Senior council officers have also discussed Federation as an option with the governing bodies of neighbouring schools, both before and during the consultation period, including giving detailed presentations on how Federations work at governing body meetings. Unfortunately none of the school governing bodies felt that it would be to their advantage to federate with Craigcefnparc Primary School and could only see it leading to a detrimental impact on their school. Although the council does have legal powers to direct federation of schools it would be a difficult relationship to sustain if all parties were not totally committed and therefore this route has not been pursued.

Option 4 – School Closure

Advantages	Disadvantages
Sustainability of appropriate educational provision within the wider area, enhanced with reduction in surplus places and more efficient and effective allocation of available resources to strengthen overall provision, more evenly distributing of funding per pupil across wider area	Loss of school in the village and wider impact on the community, although served by a community hall
Greater learning opportunities for pupils with access to a wider range of staff expertise and resources, greater curriculum and resource access, as well as enhanced social and sporting opportunities better preparing them	Relocation of pupils to different schools if they do not wish to transfer to Clydach Primary School

for their move to a larger secondary school	
Removes potential future liabilities for building maintenance costs	Staff would be redeployed or made redundant
Potential future capital receipt to re-invest in the development of education in Swansea (although no decisions have been made about the future use of the site should the school close)	Capital investment costs required for the toilets at Clydach Primary School
Pupils would be able to access at least the equivalent, if not better, standard of education in neighbouring schools (Clydach/Craigfelen)	Additional transport costs would be incurred to transport pupils to a different school, offsetting any other financial savings from closure
Capital investment would enhance toilet facilities for pupils at Clydach Primary	

New options identified through consultation responses:

Option 5 – Change the Catchment Area of Craigeffnparc to take some of the Clydach Catchment

Advantages	Disadvantages
Craigeffnparc Primary School remains open.	Would be moving Clydach learners from a 'yellow' school to an 'amber' school.
Clydach Primary School could move onto one site instead of having a split site.	Capital cost to transform Clydach Primary School into a single site school.
Less pupils would need to be transport to school by bus.	Would increase traffic into the Craigeffnparc area.
Potential to increase the number on roll at Craigeffnparc Primary School.	Future liabilities in terms of building maintenance costs remain
Lessens the congestion around the Clydach School Site.	Would require consultation period while education for Craigeffnparc learners would continue to be impacted.

Option 6 – Change Craigeffnparc Primary School into a bilingual/dual stream English and Welsh medium school/completely Welsh-medium school/move YGG Felindre pupils to Craigeffnparc

Advantages	Disadvantages
Craigeffnparc still has a school in the village.	Key staff at the school would have to speak Welsh so there would need to be some staff changes.
Children would no longer need to be bused to YGG Gellionnen.	Destabilises YGG Gellionnen and would create surplus places at that

	school.
Potential for learner numbers to increase to provide a larger budget allocation for the school.	Council policy would need to change as currently total immersion in the Welsh language is considered the best option for Swansea.
	More classroom space would be required if there were two streams of education in the school, with separate lunch and play times etc.
	Dual stream/bilingual schools cost more to run
	Future liabilities in terms of building maintenance costs remain
	Would require another statutory consultation period/notice, during which time the educational provision for the children in Craigcefnparc Primary School continues to be impacted.
	Pupils would remain in increasingly mixed age cohorts having to cater for many year groups in one class, only this would be the case for both streams.

Option 7 – bring others into the site for sustainability – examples given of a specialist teaching facility (SFT), childcare facility, ICT hub, tourism, health, adult education, tutoring

Advantages	Disadvantages
Craigcefnparc Primary School remains open.	STFs are neutrally funded so would not give the school sustainability.
Potential for increased income to aid the school in sustainability.	Childcare provisions require registration and the necessary staffing and facilities to achieve this registration. Further work would be needed on if this is feasible and the school's delegated budget could not be used to subsidise this provision. The Childcare Offer is for 30 hours a week for 3 and 4 year olds and the number of births in the Mawr area is low.
	Future liabilities in terms of building maintenance would remain. Most options would require capital investment into the buildings. In particular a feasibility study would be needed for any IT hub.
	Safeguarding of learners at the

	school is of paramount importance and any site that is shared with the public during the school day requires very careful planning. The school cannot subsidise any non-school use from its delegated budget and a business plan would be needed. There is no evidence of demand and there is already a community hall in the village that could be used.
	Any additional use of the site would add pressure to the acting headteacher and office staff roles.
	Continuing challenge to maintain sustainability of educational provision at the school, even if co-located facilities are identified. Learners would remain in increasingly mixed age cohorts.

Option 8 – build a new school for the wider Clydach area

Advantages	Disadvantages
Craigcefnparc, Clydach and Craigfelen would have a new build, sustainable school that is fit for 21 st century learning.	This would require an identified site and major capital investment by the council so is a longer-term option but officers continue to assess longer-term plans for the Clydach area.

- 3.5 All consultation responses have been made available for Cabinet to view, including notes from the meetings and drop-in sessions.
- 3.6 A summary of all issues raised and the officer response is attached in the consultation report at Appendix C. This should be read in conjunction with this report. Comments should be conscientiously considered in an open-minded approach, alongside the case put forward for publication of the proposal. In this respect there is an expectation that Cabinet will have read and given due regard to the proposal as consulted upon and the comments received together with officer comments.
- 3.7 Estyn was also required to comment on the proposal, as per the School Organisation Code. Their full response is included in the consultation report at Appendix C. The summary of their response is:

The proposer has provided a comprehensive proposal that explains clearly the reasoning behind the proposal to close Ysgol Craigcefnparc and transfer the school's current catchment area to Ysgol Gynradd Clydach. The proposer notes that, over a 5-year-period, education provision at Ysgol Gynradd Craigcefnparc has been varied and a lack of permanent leadership has hindered improvement. Pupil numbers at the

school are falling every year, and the local authority predicts that this pattern will continue. Standards at Ysgol Gynradd Clydach are positive and the school is managed well by a stable team. There are surplus places that would be able to accommodate all of the pupils from Ysgol Gynradd Craigeffnparc.

Estyn believes that the proposal is likely to at least maintain the current standards in terms of education, provision, and leadership and management.

4. Conclusion

- 4.1 After carefully considering the points raised during the consultation period, and considering the viability of alternative options, the recommendation is to proceed to the publication of a statutory notice to close the school.
- 4.2 The overall quality of education provided at Craigeffnparc primary school is poor in comparison to neighbouring schools. Clydach primary has a stronger track record of improving education standards in comparison to Craigeffnparc. Three- year profiles of nationally agreed success criteria for national categorisation of schools in Wales demonstrate sustained improvement in Clydach. However, the profile in Craigeffnparc indicates a school struggling to self-improve and has been a cause for concern for a five-year period. Although progress in addressing inspection recommendations was sufficient, Craigeffnparc has not improved without significant and continued intervention from the local authority. The school currently requires more support than at the same time last year. Although sound progress has been made in addressing specific recommendations in relation to teaching and learning, the school has little capacity to improve itself and has been a cause for concern to the school improvement service for some time. Despite best efforts to sustain improvements, the school does not demonstrate enough self-improvement. A better quality of education is available in nearly all other schools in Swansea. The option of transferring children to be educated at Clydach helps meets pupils' entitlement to the best education possible.
- 4.3 The main driver behind this proposal is the need to provide sustainable quality education for learners, and with falling pupil numbers, continuing budget pressures and additional demands for the emerging new curriculum on schools, the school improvement journey for Craigeffnparc would be a hard task for the limited number of staff at the school. Education of at least a similar level can be provided at Clydach Primary School where there is enough space to accommodate the pupils and higher standards. The traffic calming measures will benefit the existing Clydach learners as well as those being transported from Craigeffnparc. The proposal will support a sustainable education provision for the future of the wider Clydach community.

5. Financial Implications

Capital

- 5.1 Approximately £67k will need to be identified for road traffic calming measures, including required road resurfacing, as was highlighted in the traffic assessment at Appendix B. This funding will come from the existing highways capital scheme envelope.
- 5.2 A capital investment of around £50k will be provided from uncommitted capital budgets across education schemes to reorganise the toilet facilities for the Foundation Phase at Clydach Primary School, to provide better access and improved location of provision for younger pupils.

Revenue

- 5.3 Schools are funded from an overall delegated budget – the Individual Schools Budget (ISB). There is a funding formula that allocates a budget share to each individual school from the ISB. The budget share for Clydach Primary School would increase to include the number of learners moving there from Craigeffnparc Primary School.
- 5.4 There will be ongoing transport costs of approximately £56k per year to provide three minibuses/small coaches for the learners from Craigeffnparc as there is no available walking route.
- 5.5 Closure of schools can lead to some initial increased costs, for example redundancy costs. Although we would recommend to governors at Clydach Primary School that any new posts to support the additional learners are ring-fenced to existing employees at Craigeffnparc Primary School, there could be some staff that are not successful in matching against a post. If these staff were not successfully redeployed elsewhere, or did not wish to take up voluntary redundancy or early retirement options, there could be redundancy costs charged to central budgets.

6. Legal Implications

- 6.1 Part 1 of the Education Act 1996 (“the 1996 Act”) imposes a number of general duties on all local authorities in Wales. The general duty in section 13 of the 1996 Act is to contribute (so far as the Council’s powers enable them to do so) towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education and secondary education are available to meet the needs of the population of their area.
- 6.2 Section 13A(3) of the 1996 Act states that a local authority in Wales must ensure that their relevant education functions and their relevant training functions are exercised by the authority with a view to promoting high standards, and promoting the fulfilment of learning potential by every person to whom the subsection applies, including

those who are of compulsory school age or are below school age and are registered as pupils at schools maintained by the authority.

- 6.3 Section 14 of the 1996 Act then provides that the Council shall secure that sufficient schools for providing primary education and secondary education are available in the Council's area. Schools available for an area shall not be regarded as sufficient unless they are sufficient in number, character and equipment to provide for all pupils the opportunity for appropriate education. Appropriate education means education which offers such variety of instruction and training as may be desirable in view of:
- (a) the pupils' different ages, abilities and aptitudes; and
 - (b) the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their different needs.
- 6.4 Reorganisation of school provision involving the establishment or discontinuance of community schools requires consultation and the publication of statutory notices in accordance with the School Standards and Organisation (Wales) Act 2013 ("the Act") and the Welsh Government's School Organisation Code.
- 6.5 Before publishing any proposals relating to the establishment of a school under s41 of the Act, or discontinuing a school under s43 of the Act, the Authority (Proposer/s) is under a duty, by virtue of s48 of the Act, to consult on such proposals. Guidance has been issued by the Welsh Government in Circular 006/2013 entitled the "School Organisation Code" which must be followed:
- a) At the start of the consultation period Proposers must provide consultees with a consultation document and give them at least 42 days in which to respond, with at least 20 of these being school days.
 - b) Consultation comments must be collated and summarised by Proposers. This summary together with the responses to the comments must be published in a consultation report within three months of the end of the consultation period.
 - c) A decision must be made by Proposers whether to proceed with changes within 6 months of the end of the consultation period.
 - d) If a decision is made to proceed, a Statutory notice is published providing a 28 day notice period for objections. The notice must be published on a school day and with 15 school days (not including the day of publication) in the notice period.
 - e) If objections are received, an objection report must be published providing a summary of the objections with responses to them before the end of 7 days beginning with the day of the Proposers determination of the proposals.

- f) The Proposer must determine under s53 whether the proposals are to be implemented. Proposals must receive final determination within 16 weeks of the end of the objection period. Local determination is a requirement of the School Organisation Code, and The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) (Amendment) Regulations 2013 allow for this local determination. The Welsh Ministers and Governing Bodies are to be notified of the decision within 7 days of the decision.
- g) If the Proposer determines to implement proposals, they should be implemented in accordance with the date given in the statutory notice, or any subsequent modified date.
- 6.6 The proposer must publish a report on the consultation it has carried out in accordance with the Code. The consultation report must summarise each of the issues raised by consultees, responding to these by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons; and setting out Estyn's view (as provided in its consultation response) of the overall merits of the proposal.
- 6.7 The School Organisation Code specifies the detail that the equality and community impact assessments must cover and full consideration needs to be given to these before any decision is made.
- 6.8 The Code includes statutory guidance to which the Council must have due regard and sets out the policy context, general principles and factors that should be taken into account by those bringing forward proposals to reconfigure school provision and by those responsible for determining proposals. Where guidance is given by the Code, it is stated that relevant bodies should follow this guidance unless they can demonstrate that they are justified in not doing so.
- 6.9 Paragraph 1.1 of the Code sets out the key background principles and policies, which should be taken into account by the Council in developing school organisation proposals. These include:
- United Nations Convention on the Rights of the Child;
 - A living language: a language for living – Welsh Language Strategy 2012-2017
 - Welsh- medium Education Strategy;
 - One Wales: One planet, a new sustainable development scheme for Wales May 2009 or any successor strategy;
 - Child Poverty Strategy for Wales (issued February 2011 Information document number 95/2011), or any successor strategy;
 - Faith in Education.

- 6.10 In addition, when developing school organisation proposals, the local plans to which Council should have regard include the following:
- Local plans for economic or housing development;
 - Welsh in Education Strategic Plans (made under part 4 of the 2013 Act);
 - Children and Young People's Plans (or successor plans)
 - 21st Century Schools – Capital Investment Programme and the relevant wave of investment.
- 6.11 Finally, the Council should have regard to the following Welsh Government Guidance on related matters:
- Learner Travel Operational Guidance
 - Measuring the capacity of schools in Wales, Circular.
- 6.12 Chapter 1 then lists a number of factors which should be taken into account by relevant bodies, including the Council, when exercising their functions of preparing and publishing school organisation proposals or approving/determining them. These factors include:
- Quality and standards in education (looking at outcomes, provision, leadership and management) at the school which is the subject of the proposals, and at any other school or educational institution which is likely to be affected. The Code states that local authorities should place the interests of learners above all others. Where proposals involve the transfer of learners to alternative provision, there should normally be evidence that the alternative would deliver outcomes and offer provision at least equivalent to that which is currently available to those learners.
 - The need for places and the impact on accessibility of Schools (whether alternative school based provision will have suitable capacity and provide accommodation of at least equivalent quality and is sufficient to meet existing demand and projected demand and the nature of journeys to alternative provision and resulting journey times for pupils, including SEN pupils. In particular, whether primary school pupils will have one way journeys in excess of 45 minutes or secondary school pupils one way journeys of over an hour.
 - Resources of education and other financial implications. This involves a consideration of a number of factors set out in the Code, including whether proposals ensure a fairer and more equitable distribution of funding between mainstream schools, what effect proposals will have on surplus provision, the costs of proposals (including additional transport costs), any projected net savings, any budget deficits of schools affected and whether the proceeds

of sales of redundant sites remain in the education budget.

- 6.13 The Code also lists other general factors which should be taken into account, namely educational attainment, equality issues, charitable interests (paragraph 1.6). A list of specific factors in the consideration of school closures is at paragraph 1.7. This states that there is no presumption in favour or against the closure of any type of school. The case for closure should be robust and in the best interests of educational provision in the area. A Community Impact Assessment should be obtained. When considering whether closure is appropriate, special attention should be given to the matters set out on page 12 of the Code, including:
- considerations of alternatives to closure, including multi-site schools, clustering/collaboration/federation with other schools
 - the overall effect of closure on the local community
 - how parent's and pupil's encouragement with the alternative school and any facilities it may offer could be supported.
- 6.14 In addition to the usual considerations in relation to standards of provision, the Council should also consider whether proposals will improve standards of accommodation for pupils with SEN, including building accessibility;
- how proposals will address any health, safety and welfare issues;
 - how proposals, where appropriate, will support increased inclusion; and
 - the impact of proposals on other SEN provision within the immediate and wider local authority area including out of county where appropriate.
 - whether there is a need for a particular type of SEN provision within the area;
 - whether there is surplus SEN provision within the area;
 - whether SEN provision would be more effective or efficient if regional provision were made; and
 - the impact of proposals on the transportation of learners with SEN.
- 6.15 The list of factors to be taken into account in approving/determining school organisation proposals is listed at paragraph 1.14.
- 6.16 Paragraph 5.1 of the Code makes provision for the publication of objection reports. Proposers must publish a summary of the statutory objections and the proposer's response to those objections. Where a local authority is required to determine its own proposals, the Objection Report must be published before the end of 7 days beginning with the day of its determination. The Objection Report must be published by being posted on the local authority's website. Hard copies must be made available on request. Parents, carers and guardians and staff members of

schools which are the subject of the proposals must be advised of the availability of the Objection Report. The Code contains a list of individuals or bodies which must receive either a hard copy of the Objection Report or be emailed a link to the local authority's website.

- 6.17 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 6.18 The 'well-being goals' are:
- (i) a prosperous Wales, meaning an innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work;
 - (ii) a resilient Wales, meaning a nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change);
 - (iii) a healthier Wales, meaning a society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood;
 - (iv) a more equal Wales, meaning a society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances);
 - (v) a Wales of cohesive communities, meaning attractive, viable, safe and well-connected communities;
 - (vi) a Wales of vibrant culture and thriving Welsh language, meaning a society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation; and
 - (vii) a globally responsible Wales, meaning a nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being
- 6.19 Any reference to a public body doing something in accordance with the 'sustainable development principle' means that the body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 6.20 In order to act in a sustainable manner a public body must take account of
- (1) the importance of balancing short-term needs with the need to safeguard the ability to meet long-term needs, especially where things done to meet short-term needs may have detrimental long-term effect;
 - (2) the need to take an integrated approach, by considering how
 - (a) the body's well-being objectives may impact on each of the well-being goals); and
 - (b) the body's well-being objectives impact on each other or on other public bodies' objectives, in particular where steps taken by the body may contribute to meeting one objective but may be detrimental to meeting another;
 - (3) the importance of involving other persons with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population of
 - (a) Wales (where the body exercises functions in relation to the whole of Wales); or
 - (b) the part of Wales in relation to which the body exercises functions;
 - (4) how acting in collaboration with any other person (or how different parts of the body acting together) could assist the body to meet its well-being objectives, or assist another body to meet its objectives;
 - (5) how deploying resources to prevent problems occurring or getting worse may contribute to meeting the body's well-being objectives, or another body's objectives

6.21 Swansea Council applies the Well-being of Future Generations Act (Wales) 2015 as the core principle guiding how the local authority operates.

6.22 The action a public body takes in carrying out sustainable development must include:-

- Setting and publishing objectives ('well-being objectives') that are designed to maximise its contribution to achieving each of the well-being goals; and
- Taking all reasonable steps (in exercising its functions) to meet those objectives

Swansea Council's well-being objectives and steps are set out within the Corporate Plan:

<https://www.swansea.gov.uk/?articleid=6901&articleaction=language>

Local Well-being Objectives are set out within Swansea Public Services Board's Local Well-being Plan (of which the Council is a statutory member).

6.23 Report writers and decision makers take due regard to these Plans in order to consider how the proposal impacts upon the Council's 'wellbeing objectives', Swansea's Local Well-being Objectives and the national well-being goals'. <https://www.swansea.gov.uk/localwellbeingplan>

7. Equality and engagement implications

- 7.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - Advance equality of opportunity between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic and those who do not

Our Equality Impact Assessment (EIA) process ensures that we have paid to regard to the above.

- 7.2 An EIA was commenced as a background paper to the consultation. The EIA has been revised to take full account of the consultation outcomes and the views of the range of stakeholders that were gathered. This can be found in Appendix D. The assessment will be further revised if a statutory notice period is actioned by Cabinet.

- 7.3 The proposal was found to be relevant to children and young people, older people, other age groups, disability, sex, Welsh language, poverty/social exclusion and community cohesion. The impact on each of these areas is explored further as follows.

- 7.3.1 (0-18) – Craigeffnparc is an English-medium primary school. This proposal looks to close the school and move the pupils to Clydach Primary School. Although the change can be seen as negative in the first instance, we believe that based on favourable Estyn inspection results, and the increased flexibility in delivering the curriculum that Clydach Primary could offer, that pupils would receive at least a similar, if not an improved education should this proposal go ahead. If the proposal was approved officers would work with both schools to ensure that the transition for learners and their families was planned and delivered with the best interests of the learner a main priority.

- 7.3.2 (Older People 50+/Any other age group) –there is the chance of some redundancies because of this proposal. The Council would recommend that any new staff posts required at Clydach Primary, or other neighbouring schools due to increase in pupil numbers, be ‘ring-fenced’ to the staff of Craigeffnparc Primary School. However, this would be a decision for individual governing bodies.

- 7.3.3 (Disability) – The design, delivery and implementation of this proposal will take full consideration of the social model of disability, which recognises that people are disabled by the barriers of society (e.g. physical, environmental, organisational, and attitudinal, communication, etc.) rather than by any physical condition. Any proposal will be designed with this in mind. Craigeffnparc and Clydach currently have a similar level of children who have special educational needs with both schools offering the right level of support for these pupils. There are currently no pupils from

Craigcefnparc with a Statement of Educational Need, however should there be a need for a Statement of Educational Need for any learner in the future that statement would set out the required support for that child and what the school needs to provide. Clydach Primary School currently delivers on such Statements for some of its current learners.

- 7.3.4 (Welsh) – Craigcefnparc is an English-medium primary school but the Welsh language plays a key role throughout the curriculum. This would continue to be the case at Clydach Primary School.
- 7.3.5 (Poverty/social exclusion) – There are low levels of deprivation in this area and therefore the impact on poverty/social exclusion is expected to be low. Due to the possible changes in catchment areas it is important to consider the impact this could have on learners and their families. During the consultation concerns were raised about the requirement to travel further to access the educational provision at Clydach Primary School with the home to school transport only providing a service for the beginning and end of the school day and not factoring in the desire to access wrap-around services as they currently do at Craigcefnparc. The Council is responsible for transporting pupils for education. Parents/carers of our learners are responsible for getting their learners to and from any out of school activities such as breakfast club and after school club.
- 7.3.6 (Community Cohesion) – It is possible that the proposed closure could have a negative impact on the local community and due to the possible changes in catchment areas it is important to consider the impact this could have on learners and their families. The Council's Local Well-being Plan has an objective 'To build strong communities with a sense of pride and belonging'. The definition of communities is not restricted to specific physical communities of any particular size but includes communities of interest too. The council's plans support the development of a new community which will be created at Clydach Primary School. Arguably, this is an opportunity to be part of a more diverse community with potential benefits in terms of experiencing a wider range of cultures, languages and communities that can enrich pupils' experience. The most relevant of the 3 steps under the objective is 'individuals are connected and feel a sense of belonging' and, while this is true of a small school community, it is also true of larger school communities which tend to benefit from greater intercultural opportunities.
- 7.3.7 (Sex) – Given that the majority of staff at the school are female it is clear that this proposal would have a disproportionate effect on this group. 8 of the 9 members of staff employed at the school are female.
- 7.3.8 The remaining protected characteristics (namely Race, Asylum Seekers, Gypsies and travellers, Religion, Sexual Orientation, Gender reassignment, Carers, Marriage and civil partnership, Pregnancy and maternity) have all been identified as 'neutral' as we do not believe the proposal will have either a negative or a positive impact on them.

However, this will continue to be monitored and reconsidered throughout the process.

- 7.4 To ensure that we understood how these proposals affected all stakeholders we consulted widely to allow us to shape this proposal and agree the way forward.
- 7.5 As stated in Section 2 of this report, a full consultation was conducted with all interested stakeholders from 5 September 2018 to 18 October 2018.
- 7.6 All initiatives must be designed/planned in the best interests of children and young people.
- 7.7 The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.
- 7.8 The proposal will directly affect children and all future arrangements will aim to ensure that these children and young people achieve the best possible outcomes. The proposal relates to the following articles of the United Nations Convention on the Rights of the Child:
 - Article 3 - All organisations concerned with children should work towards what is best for each child.
 - Article 12 - Respect for the views of the child
 - Article 18 - Both parents share responsibility for bringing up their children. We should help parents by providing services to support them.
 - Article 28 - Children have a right to an education. Discipline in schools should respect children's human dignity.
 - Article 29 - Education should develop each child's personality and talents to the full.
 - Article 30 - Children have a right to learn and use the language and customs of their families.
- 7.9 A Community Impact Assessment was produced and has been available throughout the consultation period on the Council's website <https://www.swansea.gov.uk/craigcefnparccconsultation>. This assessment has been reviewed following the consultation period and still recognises that there is very limited use of the school by the community and that there is a well-used community hall in Craigcefnparc.

Background Papers:

- Welsh Government School Organisation Code
- Report to Cabinet 21 June 2018

Appendices:

Appendix A	Consultation Paper
Appendix B	Traffic Assessment
Appendix C	Consultation Report
Appendix D	Equality Impact Assessment